Comment Letter SCWC

SOUTHERN CALIFORNIA WATER COMMITTEE
INCORPORATED

SCWC

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December 6, 2005

Mr. Lester Snow
Director
Department of Water Resources
State of California
1416 Ninth Street, Suite 1115-1
Sacramento, California 95814

DEC 2 3 2005 027

Dear Director Snow:

On behalf of the Southern California Water Committee (SCWC) I am writing to express our support of the Department of Water Resources' (DWR) South Delta Improvements Program (SDIP). We believe that the SDIP is a critical water supply, water quality and environmental project that will meet California's diverse water needs.

This package of Delta improvements is the first major coordinated implementation of projects within the CALFED program. The SDIP collective package will carry out key commitments in the CALFED Record of Decision (ROD) and is linked together to ensure balanced implementation of CALFED, a significant goal of the ROD.

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The Southern California Water Committee is a nonprofit, nonpartisan organization that brings together eight counties and their diverse interests to secure adequate, reliable, affordable, quality supply of water for all Californians. Members of the SCWC include the Counties of Los Angeles, Orange, San Diego, San Bernardino, Riverside, Ventura, Kern, and Imperial, and their businesses, governments, agricultural interests, and water agencies. The SCWC reflects a broad consensus on water issues.

As an independent advocate for Southern California's water interests, the SCWC has long recognized the importance of the CALFED program's success to the economic health of Southern California and the State. We firmly believe that the major components proposed in the SDIP provide a responsible and balanced plan to better utilize and integrate our existing water management infrastructure in the Delta. Given California's limited water supplies, we must have a more flexible water delivery system so we can continue to accommodate growth in our population and economy.

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Mr. Lester Snow
Department of Water Resources
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The SCWC looks forward to participating in the NEPA/CEQA public hearings in January and supporting the SDIP as a key element in a responsible, and balanced approach to addressing the critical water needs of all of California's diverse, often competing interests. SCWC-1

Sincerely yours,

Joan Anderson Dym
Executive Director

Enclosure: Membership Roster

SOUTHERN CALIFORNIA WATER COMMITTEE
INCORPORATED

A cooperative effort of business, government, water agencies, agriculture, and public interests.

Southern California Water Committee, Inc.

Membership

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County of Orange
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County of San Bernardino

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Metropolitan Water District of Southern California

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City of Encinitas	City of Hemet
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City of Newport Beach	City of Riverside
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Coachella Valley Water District	Hines Nurseries
Imperial Irrigation District	Independent Oil Producers Agency
Inland Empire Utilities Agency	Johnson Machinery Co.
Kennedy/Jenks Consultants, Inc.	Kern County Water Agency
Knott's Berry Farm	Krieger & Stewart
Mellano & Company	Milk Producers Council
Moulton Niguel Water District	Newhall Land & Farming Company
Orange County Farm Bureau	Rabobank, N.A.
RBF Consulting	Richard K. Jemison
San Diego County Water Authority	SBC
Sea World of California	Shea Homes
Sunkist Growers, Inc.	The Irvine Company

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Castaic Lake Water Agency
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Central Basin Municipal Water District
Ch2M Hill
Chase Bros.
Chevron
Chino Basin Water Conservation District
Chino Basin Watermaster
City of Anaheim
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Harry Singh & Sons
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Helix Water District
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Kent's Bromeliad Nursery, Inc.
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Kern County Farm Bureau, inc.
Kern County Water Agency
Kern Delta Water District
Kimberly-Clark Corporation
Knott's Berry Farm
Krieger & Stewart
Lake Hemet Municipal Water District
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Mellano & Company
Metropolitan Water District of Southern California
Milk Producers Council
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Montgomery Watson Harza, Inc.
Moulton Niguel Water District
Municipal Water District of Orange County
Newhall County Water District
Newhall Land & Farming Company
Olivenhain Municipal Water District
Orange County Farm Bureau
Padre Dam Municipal Water District
Poseidon Resources Corporation
Primary Energy
Public Resources Advisory Group
Rabobank, N.A.
Rancho California Water District
Rancho Mission Viejo
RBF Consulting
Richard K. Jemison
Rincon Del Diablo Municipal Water District
Riverside-Corona Resource Conservation District
Riverside County Farm Bureau, Inc.
Ronald Gastelum
Rose Hills Company
San Diego County Farm Bureau
San Diego County Water Authority
San Luis Rey Indian Water Authority
Santa Ana Watershed Project Authority
Santa Margarita Water District
SBC
Sea World of California
Semitropic Improvement District of Semitropic Water Storage District
Shea Homes
Somis Pacific Ag Management, Inc.
Sony Electronics Inc.
South Coast Water District
Southern California Edison
Stacy A. Roscoe
Suburban Water Systems
Sunkist Growers, Inc.
Sunrise Company
Tehachapi-Cummings Water M & O
Temple-Inland
The Irvine Company
The Procter & Gamble Paper Products Co.
Three Valleys Municipal Water District
United States Gypsum Company
Upper San Gabriel Valley Municipal Water District
Valley Center Municipal Water District
Valley Industry & Commerce Association
Van Dyke Farms, Inc.
Water Association of Kern County
Water Replenishment District Of Southern California
West Basin Municipal Water District
Western Municipal Water District
Western States Petroleum Association
Weston, Benshoof, Rochefort, Rubalcalva, MacCuish LLP
Weyerhaeuser Companies
Wheeler Ridge-Maricopa Water District

10-20-05

Responses to Comments

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The commenter's description of the project's benefits and support for the project are noted.

Comment Letter SVEWC

SVEWC

February 4, 2006

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Mr. Paul A. Marshall
Department of Water Resources
South Delta Branch, Draft EIS/EIR Comments
1416 9th Street, 2nd Floor
Sacramento, CA 95814
Fax: (916)653-6077

RE: Comments on the South Delta Improvements Program, Draft Environmental Impact Statement/Environmental Impact Report

Dear Mr. Marshall:

The Sacramento Valley Environmental Watershed Caucus has had the opportunity to review the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/R) of November 2005, by the California Department of Water Resources (DWR) and the US Bureau of Reclamation (BOR) concerning the South Delta Improvements Program (SDIP). We suggest that DWR and BOR withdraw the proposed DEIS/R for this project because of numerous environmental and social impacts that would be likely results of SDIP. Some of the impacts include, but are not limited to the following:

- Increased water deliveries for SWP and CVP contractors south of the Delta as envisioned by SDIP are likely to exacerbate Delta ecosystem degradation.
- An expanded Environmental Water Account program will place an extra burden on California taxpayers with no assurance of ecosystem enhancement.
- Of the many specific actions listed in the CALFED ROD only 2 are proposed in the SDIP.
- Significant impacts on social and economic conditions are expected to occur in areas of water origin as a result of constructing or operating the SDIP.
- The analysis fails to identify impacts to recreation resources in areas of origin that will be impacted by increased water export demands.
- The brief summary of recreation for this reservoir fails to accurately measure shoreline and surface area fluctuations associated with the aggressive operation of the reservoir.
- DWR plans to increase electrical demands at the Delta Pumps. This increase in demand for electricity can only continue to drive up energy prices in Northern California.
- Having the Oroville Reservoir at low level for a longer period of time as envisioned by SDIP exacerbates a significant impact on local scenic character by the SWP.
- The EIS/EIR fails to identify cultural resources that are threatened by Phase 2 of the SDIP that are located outside of the Delta.
- The EIS/EIR fails to examine health hazards to domestic users associated with using contaminated water pumped from the Delta.

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- The EIS/EIR fails to use the best available science in determining the climatic reality of the area of origin.

Increased water deliveries for SWP and CVP contractors south of the Delta as envisioned by SDIP is likely to exacerbate Delta ecosystem degradation. "Increase water deliveries for SWP and CVP contractors south of the Delta by increasing the maximum permitted level of diversion through the existing intake gates at CCF to 8,500 cfs. Meeting these objectives by implementing the SDIP will provide increased operational flexibility and the ability to respond to real-time fish conditions while improving water supply reliability." Do "real time fish conditions" include operation modifications designed to protect food chain foundation organisms? Have Delta export pumps been slowed as data pertaining to the Delta ecosystem collapse have been uncovered? It is unclear how increasing the capacity of the pumps will offer the Delta ecosystem real-benefit.
ES-5 "While the permitted capacity for diversions could increase by up to 27% the ability to use this capacity is extremely limited by water availability and environmental conditions." I question the capacity of the agencies to modify their pumping regimes to protect ecosystems. Have modifications been made since the discovery last spring that the Delta ecosystem has collapsed? Until DFG comes up with an explanation for the collapse it is impossible to devise modifications to the operation of the Delta pumping regime that would stabilize/restore the ecosystem.

SVEWC-1

An expanded Environmental Water Account program will place an extra burden on California taxpayers with no assurance of ecosystem enhancement. ES-6: "An expanded Environmental Water Account program as described in the CVP/SWP OCAP, or the implementation of an avoidance and crediting system augmenting the current EWA program, would be implemented to avoid diversion effects on fish resulting from implementing the Stage 2 decision-making process." Detailed analysis indicates that the EWA places a burden on taxpayers to provide special interests with water supplies while failing to protect ecosystems. The Sacramento Valley Environmental Watershed Caucus has withdrawn its support for the EWA concept.

Of the many specific actions listed in the CALFED ROD only 2 are proposed in the SDIP: "Increase the SWP pumping from the current limit from March 15 to December 15 to 8,500 cfs and modify existing pumping criteria from Dec 15 to March 15 to allow greater use of SWP export capacity.
Dredge and install barriers to ensure water to agricultural diverters within the south Delta."
It is unacceptable that the actions that might preserve/restore the Delta are being sidetracked while actions that are likely to exacerbate damage are advanced. The system is failing the public trust by imploding the invaluable Delta ecosystem.

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Significant impacts on social and economic conditions are expected to occur in areas of water origin as a result of constructing or operating the SDIP. The analysis extends all the way to Southern California, but does not include adequate analysis of impacts to *areas of origin* of the water that are planned to supply the system.
Similarly "Environmental consequences" discussed on 7.2-8 extends to Southern California but ignores impacts associated with increased demands on *areas of origin*.
Socio-economic impacts considered include; increase in unemployment or decrease in personal income, change in the availability of housing, disruption of local businesses.
The increased demands associated with increasing the pump capacity is forcing DWR to come up with more water supply sources originating from North of the Delta including raising Shasta Dam, constructing Sites Reservoir, operating Oroville Reservoir more aggressively and integrating the lower Tuscan aquifer into the State Water supply.
The potential impacts of integrating North-State groundwater into the supply system could exacerbate existing unemployment and low wages, decrease housing development in Butte County, increase domestic water supply costs, and disrupt local businesses dependent on reliable groundwater. If groundwater becomes a bankable commodity manipulated by well placed water purveyors and replenishment districts, existing political imbalance favoring the minority of citizens associated with water districts holding surface water rights will be exacerbated.
Raising Shasta Dam would impact the people who own property around the existing high water level of Shasta Reservoir and add to the loss of sacred sites for the Winnimem Wintu People.
Operating Sites Reservoir would require tremendous energy input to move the water from this low elevation location to users. Flooding the ground may lead to the release of methyl-mercury into the biosphere. Existing land use would be eliminated.

SVEWC-3

The analysis fails to identify impacts to recreation resources in areas of origin that will be impacted by increased water export demands. For instance: Bidwell Park, located in Butte County, contains 100s of acres of residual valleyoak/sycamore woodlands that require reliable groundwater table levels to thrive. There is documented concern in Butte County that increased demands on groundwater related to SWP/CVP conjunctive-use schemes will impact the viability of this and other area valley forests that are used recreationally by over 100,000 visitors each year.
There is a distinct possibility that increased drafting of the Tuscan formation will impact surface water flows of existing perennial streams that are used recreationally by thousands of residents and visitors. Lowering the water table increases percolation-head in increases stream infiltration into aquifers. The SDIP plan to increase Delta pumping capacity assumes increased water transfers out of Butte and other northern California counties by integrating groundwater into the State Water Supply. While there may be willing sellers from the ranks of the tiny minority of residents that hold entitlements to surface water, there is a groundswell of opposition to attempts by these entities (particularly the Glenn Colusa Irrigation district) to capture entitlements to groundwater through conjunctive-use, replenishment districts and groundwater banking.

SVEWC-4

DWR's brief summary of recreation for Oroville reservoir fails to accurately measure shoreline and surface area fluctuations associated with the aggressive

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operation of the reservoir. The document should present the range of shoreline and surface area associated with both high and low water levels as well as the difficulty of recreation operations that occur in some areas during low water. The SDIP document states that most water dependent recreation occurs during the spring and summer. Of course warm weather activities extend far into the autumn months as well. It is during these months that reservoir draining decreases the reservoir surface and shoreline to its lowest levels.

During the ongoing FERC relicensing process Butte County has described in detail the negative economic impacts associated with the operation of the Oroville Reservoir. According to Carol Smoots, an attorney hired by Butte County to fight the Department of Water Resources, "40 years of history in which thousands have benefited greatly from your natural resources at the expense of Butte County. Not only have you not benefited in any material, significant way from this project, but the community has actually subsidized the project…The difficulty that we have with DWR is that it fundamentally refused to acknowledge that its project is adversely impacting anyone. They know it. They won't admit it."

SVEWC-5

7.4-24: "Operations of Alternatives 2A-2C would result in very small changes in the frequency with which the surface elevation of Shasta, Oroville, Trinity and Folsom Reservoirs would fall below levels identified as important water-dependent thresholds. During the peak season, from May to September, the change in surface elevation of these reservoirs would range between 4 additional months above the recreation thresholds to *11 additional months below the recreation thresholds…"* For DWR to assume that the peak season ends in the middle of the hot months is ridiculous. The Oroville Reservoir is being underutilized for recreation because it is being over-utilized as an irrigation reservoir. The economic boon promised by DWR to Butte County has never materialized and the SDIP plan will add insult to injury by ramping up the aggressive irrigation function of the Oroville facility.

DWR plans to increase electrical demands at the Delta Pumps. This increase in demand for electricity can only continue to drive up energy prices in Northern California. 7.5-1-3: While Butte/Plumas Counties supply the water that feeds the pumps and the turbines that power the pumps that provide South-of-Delta users with water, residents of the areas of origin pay high prices for their electrical needs. Rather than sharing the bounty with the residents, DWR plans to increase electrical demands at the Delta Pumps. This increase in demand for electricity can only continue to drive up energy prices. This arrangement is patently unfair to the residents of Butte and Plumas Counties.

Compare this to the wealth distribution system that exists in Alaska. Citizens of Alaska have been receiving individual dividend checks from an oil rent trust fund since 1982. Citizen dividend checks are distributed every year in Alaska out of the interest payments to an oil royalties deposit account called the Alaska Permanent Fund (APF). Any significant changes in the extraction of water and energy out of Butte and Plumas Counties should move to rectify this gross imbalance in the distribution of wealth associated with the operation of the Oroville Reservoir. Alaska is the only state in the United States where the wealth gap has decreased in the past decade. The gap continues to widen in Butte and Plumas Counties because of the uncompensated exportation of water resources from the Feather River. This imbalance will certainly be exacerbated if

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DWR is successful in their effort to more aggressively operate Oroville reservoir and/or integrate lower Tuscan groundwater into the state water supply.

The EIS/EIR fails to identify cultural resources that are threatened by Phase 2 of the SDIP that are located outside of the Delta. The presumed ability of the CVP/SWP to supply the increased water demands for the rest of the state will require developing "new" water sources that include raising the Shasta Dam. The Winnemem Wintu Tribe (McCloud River) have already lost much of their land to the current operation of the CVP Shasta Reservoir. By expanding the capacity of the pumps through SDIP an increased effort will be made to raise Shasta Dam which would flood more of the sacred land of this living tribe. The Tribe has held several meetings with the BOR to raise questions about the feasibility of the BOR's plans, the impacts it will have on the tribe and their way of life, and the troubled history between the tribe and the BOR. When Shasta Dam was first proposed, Congress passed a law authorizing the federal government to take the lands and burial grounds that the Winnemem had for a thousand years. Promises were made to the tribe that still have not been kept. The Tribe is asking that the BOR resolve these long standing debts before proceeding with its studies. The Tribe also wants the BOR, as part of the ongoing CALFED process to increase water storage and meet California's growing thirst, to study alternatives to raising the dam such as better management practices for the existing reservoir and conservation options, as well as better protection of the fish populations. But the most important issue is the threat that raising the dam poses to the cultural resources along the McCloud River , sites that are eligible for listing on the National Register of Historic Places as Traditional Cultural Properties.

SVEWC-7

The EIS/EIR fails to examine health hazards to domestic users associated with using contaminated water pumped from the Delta. The document explains that approximately 23,000,000 Californians rely on Delta exports for drinking water. David Ostrach, UCDavis researcher, is among an array of scientists trying to determine what has led to a crash in the populations of striped bass and three other bellwether fish species in the vast estuary that irrigates the Central Valley and supplies drinking water to two-thirds of Californians. Among roughly 60 striped bass autopsied by the University of California, Davis biologist, all had at least two problems with gastric inflammations, parasitic infestations, infections or liver lesions. That was a signal that they had been exposed to poisons, parasites or disease. The findings coincide with his earlier work. He previously found nerve damage and developmental abnormalities among newborn bass, problems he attributes to a chemical stew of pesticides, herbicides and cancer-causing elements in delta water. While the EIS/EIR mentions water quality issues related to chlorination (to combat microbes) and gasoline (associated with recreation) there is no mention of agricultural chemical or urban storm drain run off. These obvious sources of contamination deserve mention, if not detailed examination. The intent of SDIP to ramp up export capacity prolongs municipal reliance on water (of dubious quality) imports and would encourage new development to rely on Delta exports. While Southern California Water Districts continue to claim that the water they provide customers is safe and pure they are ironically spending money to buy bottled water for use in Agency offices. City departments spent tens of thousands of taxpayer dollars on bottled water even as officials

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waged a $1 million campaign to promote the quality of the municipal tap supply, records show. The city's water provider, the Department of Water and Power, bought the most bottled liquid, paying $31,160 to Sparkletts during the past two years, according to records provided by City Controller Laura Chick. Overall, city departments spent $88,900 on bottled water during that time.
(http://www.sacbee.com/state_wire/story/14035104p-14867091c.html)
The answer to southern California's municipal water quality challenge is self-sufficiency in supply and quality control.

SVEWC-8

The EIS/EIR fails to use the best available science in determining the climatic reality of the area of origin. The DWR Water Delivery Reliability Report (2002) for instance, relies on only 73 years of climate data to assess the variability of hydrologic circumstances that underlie decisions. Such short term analysis ignores recent scientific discovery that, two extensive droughts affecting all of California, each lasting 100 to 200 years, occurred within the last 1,200 years. These "Medieval droughts" should be part of the scientific record that planners use to chart California's future. The period of modern settlement in the Sierra Nevada (about the last 150 years), by contrast, has been relatively warm and wet, containing one of the wettest half-century intervals of the past 1,000 years. http://ceres.ca.gov/snep/pubs/web/v1/ch01/v1_ch01_02.html
It is during this recent period that optimistic planners have built (and some continue to propose) large surface water storage facilities. Oroville and Shasta reservoirs are capable of providing a brief 1-3 year buffer against low-intensity drought. While planners seem to find it unimaginable that the West may again have to endure a 200 year drought other significant dry spells are clear from the more recent record. Persistent droughts, moderate by Medieval standards but severe relative to our "normal" conditions of the past 150 years, drew lakes and rivers well below their modern levels on numerous occasions during the past two millennia, most recently during the late 18th and early 19th centuries. Indeed, increasing evidence indicates that there is little that is climatically "normal" about the past century-and-a-half; it appears, in fact, to be California's third- or fourth-wettest century-scale period of the past four or more millennia.
The growth inducing effects of using selective scientific data are magnified when these studies materialize into expensive projects such as SDIP. The Delta may be better prepared for floods through these engineered marvels, but the reliability of the State water supply is not moving toward resilience to foreseeable droughts that may occur in the future.

SVEWC-9

Stage I and Stage II should be analyzed as a unit. The SDIP EIR/EIS splits the physical/structural component from the operational component. Building infrastructure inevitably leads to operating that infrastructure. It is improper to separate these components. SVEWC is convinced that the construction of the SDIP infrastructure will inevitably lead to the operation changes that will ramp up exports from sensitive areas north of the Delta and increased negative impacts to the Delta ecosystem. Stage I and Stage II should be analyzed as a unit rather than separately. The environment of the Sacramento Valley Watershed is affected by the whole of the exports, and piecemealing the analysis is inappropriate. The analysis of both phases should be based on the effects of the 3% to 5% combined increase in exports.

SVEWC-10

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Responses to Comments

SVEWC-1

Please see Master Response B, *Relationship between the South Delta Improvements Program and the Pelagic Organism Decline*.

SVEWC-2

The SDIP is consistent with the overall CALFED ROD. The SDIP does not interfere with any of the other water quality, watershed management, or ecosystem restoration projects.

SVEWC-3

The SDIP will have no effects on groundwater management in the Sacramento Valley, nor will it cause Oroville Reservoir or Shasta Reservoir to be drawn down; no changes in the recreation at these facilities is likely. Evaluations of raising Shasta Dam or constructing Sites Reservoir are independent CALFED actions that are being evaluated by Reclamation and DWR.

SVEWC-4

Potential conjunctive use of groundwater in Butte County will be evaluated independently by the responsible local agencies. The SDIP is not linked to any specific source of water transfers.

SVEWC-5

Recreation on Oroville Reservoir is affected by water level fluctuations. The SDIP will not cause any substantial changes in Oroville Reservoir operations; the range of Oroville Reservoir storage will be similar to the existing conditions. The Oroville FERC re-licensing is a separate process that has recently examined the recreational impacts of SWP operations and has mandated additional facilities and management actions to increase recreational opportunities.

SVEWC-6

Any increase in electrical use at the Delta pumps will be paid for by the project beneficiaries as part of the cost of water conveyance.

SVEWC-7

The SDIP does not require raising Shasta Dam. The effects of raising Shasta on the cultural resources of the Winnemem Wintu Tribe are being evaluated as part of that Reclamation study.

SVEWC-8

Section 5.3 of the SDIP Draft EIS/EIR indicates that no significant degradation of drinking water quality will be caused by the SDIP. Agricultural chemicals are of concern, but will not be increased by the SDIP.

SVEWC-9

Please see Master Response F, *Relationship between the South Delta Improvements Program and Climate Change Effects.*

SVEWC-10

Stage 1 could be constructed and operated independently of Stage 2. Regardless of the decisions made for Stage 2, Stage 1 improves the ability to manage flows and water quality in the Delta as well as control the movement of fish into the south Delta. Stage 1 is analyzed with no export operation changes. Stage 2 assumes that gates are constructed (four, three, or one gate) and includes export operation changes. Therefore, the Stage 2 analysis includes the impacts of the entire SDIP.

SVEWC-11

Please see Master Response D, *Developing and Screening Alternatives Considered in the South Delta Improvements Program Draft EIS/EIR.*

Comment Letter SJFBF

SAN JOAQUIN FARM BUREAU FEDERATION **SJFBF**

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

February 7, 2006

FEB 07 2006 00151

Mr. Paul Marshall
SDIP EIS/EIR Comments
State of California Department of Water Resources
Bay Delta Office
1416 Ninth Street
Sacramento, CA 95814

Dear Mr. Marshall:

The San Joaquin Farm Bureau Federation is concerned that the Draft SDIP DEIR/S does not adequately address the decades-long conflicts between the legal water users farming in the South Delta and the important export contracts to farmers elsewhere in our county and state. We are disappointed that DWR missed this opportunity to incorporate the feasible solutions that have been submitted to them on many previous occasions to mitigate these conflicts and we offer the following comments on the SDIP DEIS/R.

PURPOSE: The project purpose should be to fully mitigate the adverse impacts to the area caused by the projects, to meet all existing water quality standards, and to satisfy the needs of all beneficial uses in the area pursuant to the Delta Protection Act. As written, the project purpose allows for water levels and quality to be maintained at what DWR and USBR deem adequate, rather than what the local diverters believe is adequate or what is required by statute or permit conditions. This is necessary both to protect the farmers in the South Delta and to protect the farmers dependent on exports from unreliable deliveries due to the system conflicts that have been allowed to persist for decades. **SJFBF-1**

San Joaquin Farm Bureau agrees with and supports comments submitted by the South Delta Water Agency as follows:

SALINITY: Actual operations of the barriers, Clifton Court Forebay and the CVP Tracy Pumping Plant will affect the water quality in the southern Delta channels. The system should be operated to maximize water quality in the channels in line with CALFED's goal of continuing improvements in water quality. Such efforts will not only be beneficial to local diversions, but will improve export quality also to the benefit of municipal and agriculture export users. **SJFBF-2**

BARRIER OPERATION: Current language in the DEIR/S suggests that use of the barriers in summer will be allowed most of the time and that use during other times will be contingent on other factors and may not be allowed. There must be assurance that the barriers and other facilities will be operated when and as needed to protect the in-channel water supply and quality. This protection must not be subject to being overridden to satisfy other interests. Fishery concerns may create a tension with barrier operations, but both are mitigation for project operations and one should not trump the other. If the projects cannot protect fisheries and local diversions, then exports must decrease to the point where such complete protection is provided. **SJFBF-3**

WATER LEVELS: The draft SDIP plans to do specified dredging and then operate barriers so that the water level at any point in the channels downstream of the HOR will not fall below 0.0 ft msl, and will have adequate depth at that level for continuous operation of local diversion facilities. This level is lower than that maintained with temporary barriers. The barriers are proposed to be operated so that there is a **SJFBF-4**

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net unidirectional reverse flow from the Middle River barrier up to Old River; a net unidirectional reverse flow from the Old River barrier near Tracy up and through the connecting channels to Grant Line Canal; and a net unidirectional flow in Grant Line Canal over the Grant Line barrier/weir. Alternatively the flows in Old River and Grant Line can be switched so that the upstream flow is in Grant Line and the downstream flow is in Old River. SJFBF-4

DWR modeling indicates that this lower level is satisfactory. However, there is no margin of error. If the modeling is off for any reason, operations may not be flexible enough to correct the problem while still maintaining water quality. [This is due to the tension between the two goals; raising the barriers to help levels will decrease net flows and adversely affect quality. The program should insure that water levels are kept at heights that actually do allow for local diversions to continue as needed and without impairment. SJFBF-5

DWR and USBR should commit to keeping water levels at heights "which will allow for local diversions to continue as needed and without impairment." If proposed operations do not provide such protection, DWR and USBR should commit to supplementing the tidal inflow so that adequate depth can be maintained while still providing circulation for quality concerns. This supplemental flow will most likely involve the use of low-lift pumps at one or more of the tidal barriers. This contingency option should be included in the final EIR/S.

NET FLOWS/MAINTAINING WATER QUALITY: Modeling indicates that under certain conditions and during the two neap tide cycles each month with average local diversions, net flow upstream in Middle River and Old River is low such that there is an insufficient flushing of salts and other constituents. During these times, it is likely that water quality on Old River, and perhaps also on Middle River will exceed the standard. During times of peak local diversions, modeling indicates that the flows in the upstream areas of Old River and Middle River will rarely be in the upstream direction (as the SDIP purports to establish for the maintenance of water quality). Generally, the flows will be back downstream creating a null zone in each channel. Even when the flow under these conditions is back upstream, it is far less than what is necessary to have any meaningful flushing of the channel.

This lack of salinity control will generally occur twice each month over four to seven day periods at a minimum, and at most (under peak depletion times) during the entire month. Although DWR modeling of these conditions uses July of 1995 as the worst case scenario, this does not mean these conditions can be assumed to be rare. It is likely that they will occur in many summer or fall months. DWR modelers have proposed that to address this situation, the Old River barrier can be used as a weir instead of the Grant Line Canal barrier. Particle tracking indicates that with such a change (under monthly average diversions, not with peak diversions) the constituents of Old River water will be flushed out downstream over a three to five day period. This does provide a flushing, but it is unknown if that will be enough. That channel is expected to get even more municipal discharges in the near future, and already experiences low DO levels and elevated salinities. SJFBF-6

Given the lack of margin of error in water level portion of the program, it is not certain that switching the flow patterns will solve the problem. Therefore, just as the water level concerns require supplementing the incoming tidal flows, so too must this option be considered for the water quality aspect of the project. It appears that a commitment to the low-lift pumps is necessary to make the program work as anticipated.

The water quality analysis and modeling supporting the program should be updated. Currently the model used incorporates an assumed salinity concentration for local discharges. However, this assumption derives from a survey that lumps portions of the Central Delta with the South Delta to arrive at an average discharge salinity. Central Delta discharges from the area included have discharge salinities well below SJFBF-7

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those in the South Delta and consequently, the assumption in the modeling greatly understates the salinity of the return flows. This in turn results in an understatement of the water quality in the channels and the effects of the SDIP barriers. SJFBF-7

TOM PAINE SLOUGH: A question exists as to whether or not Tom Paine Slough will fill under the manipulated tidal conditions of the SDIP. In recent years, the Slough has experienced significant problems of insufficient water levels. A number of causes have been proposed, but the effects of export pumping on the ability of the channel to get water into the Slough is at least a part of the underlying causes. Prior investigations by SDWA and USBR in their 1980 Report indicate that channel resistance in the area greatly increases and therefore the normal degradation of the channel bottoms may have exacerbated the "normal" problem of filling the slough such that it cannot now fill during the time available. At this time, DWR modeling indicates that SDIP will not make it any easier to fill the Slough and may make it more difficult. The program should include measures to insure that the Slough will fill as needed. SJFBF-8

SAN JOAQUIN RIVER: The SDIP proposes to address the channels west of the HOR and not the mainstem. The program should not separate out two portions of the same problem; the adverse effects of the SWP and CVP on water levels, quality and flows in the South Delta. The SDIP assumes that under monthly average depletion conditions, minimum flows of 700 - 800+ cfs will be present at Vernalis to supply the necessary 500 cfs into HOR while still providing depletion needs and downstream flow towards Stockton. [SDIP assumes operation or the HOR such that 500 cfs flows into Old River when mainstem flows are 700 - 2,200. Above 2,200, the barrier is proposed to be fully open. Below 700 the barrier is also fully opened.] The 700 - 800+ cfs amount is based upon 150 - 200 cfs of diversions from Vernalis to HOR plus the 500 cfs regulated into Old River with the remaining flow, if any, providing net downstream flow towards Brandt Bridge. When peak diversions are modeled, the 500 flow into HOR must be raised to 700 cfs during the neap tide periods in order to maintain water levels (this additional inflow has no effect on the lack of net flow/water quality problem identified above). In such an event, the minimum Vernalis flow to provide these needs is somewhere near 1,000 cfs in order to again maintain some sort of net downstream flow to Brandt Bridge. SJFBF-9

Current modeling of the San Joaquin River predicts that these summer flows may decrease to approx 600 cfs. When the flows drop below approx 1,000 cfs at Vernalis, many local diversions on the mainstem are unable to draw water out of the river due to low levels. If the flows drop below 700 - 800+ cfs, the SDIP still requires 500 - 700 flow through the HOR. Given the depletions upstream on the mainstem, that required flow will result in reverse flows in the Brandt Bridge area towards HOR. In that circumstance, the SDIP will be lowering the levels in the mainstem and exacerbating the diversion problem. This reverse flow into Old River is anticipated to further lower levels on the mainstem to the detriment of local diverters. SDWA asserts that pre-project, the tidal waters reached all the way to Vernalis, and that the tidal effect helped provide the necessary water height notwithstanding low River flows. SJFBF-10

DWR and USBR must commit to providing a minimum flow on the River through recirculation, exchanges, or other means. They should also commit to meeting the water quality standard at Brandt Bridge with downstream flows and not allow reverse flows on the mainstem to occur. Such downstream flows will provide help in maintaining the DO levels at the Stockton Deep Water Ship Channel. In addition, DWR may want to explore dredging and intake alterations along the mainstem to minimize the extra flows needed.

BARRIER EFFECTS ON FLOOD FLOWS: It appears that SDIP modeling for flood flow effects in the DEIR/S is insufficient. The analysis appears to have compared the HOR channel cross-section as it now is with the cross-section after dredging for the barrier but without the barrier in place. Thus the modeling gives no meaningful data on flood flow effects. Other barriers were not examined, but were assumed to SJFBF-11

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have no effects. This deficiency in modeling must be corrected in the final EIR/S DWR must consult with local Reclamation Districts and their engineers to fully analyze the flood flow effects of the barriers. The barriers need to be flood neutral as are all other in-water works in the Delta. SJFBF-11

MAINTENANCE DREDGING: In order to maintain the efficiency of the barriers, maintenance dredging is required to insure barrier operations continue as planned. Since the barriers are mitigation for the adverse effects of the SWP and CVP on local beneficial uses, it should be the obligation of the projects to make sure the barriers continue to work. That obligation should include maintenance dredging. SJFBF-12

DOWNSTREAM DIVERSIONS: The barrier program will adversely affect water levels downstream of the structures. The SDIP includes necessary changes to diversion intakes and dredging as necessary. It appears that Victoria Island is also experiencing this problem and will need to be added to the project, especially if 8500 is approved. SJFBF-13

OTHER: Both the 1995 Water Quality Control Plan for the Bay-Delta and D-1641 recognized that the previous salinity monitoring locations will no longer be representative of conditions throughout the channels once barrier operation create altered flow patterns. New monitoring points must therefore be representative of salinity throughout the channels during each mode of operation. SJFBF-14

The San Joaquin Farm Bureau believes these corrections to the SDIP to be reasonable and feasible and urges DWR to incorporate them. They are necessary to mitigate current impacts and must be incorporated before any increase is possible in the export rates.

Sincerely,

Mike Robinson
President

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Responses to Comments

SJFBF-1

The SDIP will fully protect SDWA diversions for agriculture from the south Delta channels upstream of the operable gates. Both minimum water levels and water quality will be improved.

SJFBF-2

Section 5.3 of the SDIP Draft EIS/EIR demonstrates the improvements in water quality at south Delta locations. The SDIP will not change San Joaquin River salinity at Vernalis. Please also see Master Response Q, *Effects of the South Delta Improvements Program on San Joaquin River Flow and Salinity*.

SJFBF-3

Please see Master Response O, *Gate Operations Review Team*.

SJFBF-4 and SJFBF-5

Minimum water levels of 0.0 feet msl are expected to fully protect all south Delta diversions located upstream of the tidal gates. SDIP will also provide local dredging and siphon or pump intake extensions for shallow intakes. Monitoring of tidal elevations will provide feedback to the GORT for possible modification of the Grant Line Canal tidal gate "weir" elevation (proposed for –0.5 feet) to provide sufficient water levels under all tidal conditions for all existing diversions.

SJFBF-6

Section 5.2 of the SDIP Draft EIS/EIR describes in detail the channel volumes, tidal fluctuations, and corresponding flushing of water in the channels upstream of the tidal gates. Section 5.3 shows results of DSM2 simulations of the proposed tidal gate operations and indicates that tidal flows and salinity conditions will be much better with the SDIP tidal gates than they have been with the temporary barriers. It is this comparison that should be the focus of SDWA evaluations. Low-head pumps are not necessary for these improvements in water quality.

SJFBF-7

The DSM2 model includes reasonable average salinity estimates for agricultural drainage. No recent drainage salinity measurements are available from the south Delta drainage pumps.

SJFBF-8

Tom Paine Slough water levels will be protected by SWP continued operation of CCF gates with priority 3 schedule, which allows the higher-high tide to fill south Delta channels without diversions into CCF. DWR will continue to work with SDWA to resolve local water supply issues along Tom Paine Slough.

SJFBF-9 and SJFBF-10

The SDIP does not change the San Joaquin River flows at Vernalis or Mossdale. Diversions along the river may have problems during periods of summer low flow. SDIP operations of the head of Old River will be evaluated and determined through the GORT. There are no guaranteed flows; the SDIP allows tidal and net flows in the south Delta channels to be more adaptively managed than with the temporary barriers that generally restrict tidal flows. SDWA may want to investigate localized dredging or intake improvements along the mainstem of the San Joaquin River; the SDIP has no anticipated actions in this area.

The modeling results cited in your example are based on maximum exports from both CVP and SWP facilities coupled with maximum diversions for agricultural uses throughout the south Delta (and possibly even a neap tide). Under these conditions, Reclamation is typically releasing more water than the low flows you cite (700 cfs). In the modeling you cite, the original low-flow scenario was on the order of 1,300 cfs on the San Joaquin River. It was artificially set lower to study a hypothesis SDWA presented. It is believed that the proposed gate operations will meet or exceed the needs of the SDWA on the interior south Delta. No minimum flow on the San Joaquin River is being proposed at this time.

SJFBF-11

Please see Master Response R, *Effects of the South Delta Improvements Program Stage 1 Tidal Gates and Dredging on Flood Elevations in the South Delta Channels.*

SJFBF-12

Dredging included in the SDIP includes conveyance dredging in Middle River, Old River, and West Canal; gate dredging at each gate site to prepare the site for gate placement; and dredging at each of the 24 agricultural diversion locations identified in Chapter 2 of the SDIP Draft EIS/EIR. In addition to this initial dredging, DWR and Reclamation have committed to maintenance dredging at the upstream area of each of the gates as well as one round of maintenance dredging in the conveyance dredging areas.

SJFBF-13

Under the SDIP, diversions along Victoria Canal that are –2 feet msl or shallower would be extended and the area around them dredged.

SJFBF-14

Reclamation and DWR are fully committed to meeting all applicable salinity objectives on the San Joaquin River (i.e., Vernalis and Brandt Bridge) and in the Delta. These objectives have been established by the State Water Board to protect municipal and agricultural, as well as fish and wildlife, uses of water. SDWA riparian diversions are important but are not the only beneficial uses of water in the San Joaquin River watershed or in the Delta. SWP and CVP reservoir and Delta operations are managed to protect all beneficial water uses and provide good quality water for water supply contractors south of the Delta.